

**REMARKS****Summary of the Office Action**

In the Office Action, the title and specification are objected to for certain informalities.

Claims 1-4 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,870,356 to (herein after "*Ikeda*").

**Summary of the Response to the Office Action**

Applicant has amended the title of the invention and the specification to correct minor informalities. A new claim 5 has been added to provide an alternate scope of protection. Accordingly, claims 1-5 are pending for consideration.

**All Subject Matter Complies With 35 U.S.C. § 102(b)**

Claims 1-4 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Ikeda*. This rejection is respectfully traversed for at least the following reasons.

Applicant respectfully submits that *Ikeda* does not disclose at least "a movement controller adapted to control said thread moving unit to start movement of said thread while controlling said lens moving unit to perform track-on control so that the lens of said pick-up head is located on a prescribed track, and thereafter when it is detected that said lens has deviated from said prescribed track by a prescribed amount or more owing to movement of said thread, starting the movement of said lens by said lens moving unit," and "a movement controller adapted to control said thread moving unit to start movement of said thread and thereafter when it is detected that said lens has deviated from said prescribed track by a prescribed amount or more owing to movement of said thread, starting the movement of said lens by said lens moving unit," features as recited in independent claims 1 and 2, respectively.

In the present invention, the beginning of actual movement of the thread after the input of the thread drive signal is detected utilizing the track-on function, and the beginning of the actuator drive signal is input at the same time with the release of the track-on state. This operation is conducted without adding any mechanism. Even when dimensions or characteristics of the elements that constitute the thread varies, the actuator is surely operated while the beginning of actual movement of the thread is detected. This may be accomplished by software.

*Ikeda* shows an optical storage apparatus which detects a lens position signal without a lens position sensor. *Ikeda* teaches, among other things, that after a seek error is detected, the seek error processing unit turns on and activates a low speed lens lock for a specified time after the detection of the seek error. See Abstract of *Ikeda*. The *Ikeda* reference also shows what is already known in the prior art, i.e., after a lapse of a prescribed time, a signal is applied to the lens actuator following signal application to the thread. See the specification at page 4, line 12 through page 5, line 13. As such, *Ikeda* cannot anticipate the present invention. Accordingly, Applicant respectfully requests that all rejections under 35 U.S.C. § 102(b) should be withdrawn.

As pointed out in MPEP § 2131, “[t]o anticipate a claim, the reference must teach every element of the claim.” “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.”

*Verdegaal Bros. v. Union Oil Co. Of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987).

Therefore, Applicant respectfully asserts that the rejection under 35 U.S.C. § 102(b) should be withdrawn because *Ikeda* does not teach or suggest each feature of independent claims 1 and 2.

In view of the above arguments, Applicant respectfully requests that the rejection of independent claims 1 and 2 under 35 U.S.C. § 102(b) be withdrawn. Additionally, claims 3-4,

which depend from independent claims 1 and 2, are allowable at least because their base claims are allowable, as well as for the additional features recited therein.

### **CONCLUSION**

In view of the foregoing, Applicant respectfully requests reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: \_\_\_\_\_

*Scott J. Mitchell* Reg. No. 35,035

*MJB* Mary Jane Boswell  
Reg. No. 33,652

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**Customer No. 009629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, NW  
Washington, D.C. 20004  
Tel.: (202) 739-3000

MJB/DEC/tlp